

United States Bankruptcy Court
Eastern District of New YorkFMTB BH LLC,
Plaintiff

1988 MORRIS AVENUE LLC,
Defendant

Adv. Proc. No. 18-01052-cec

CERTIFICATE OF NOTICE

District/off: 0207-1

User: adobson
Form ID: pdf000Page 1 of 2
Total Noticed: 5

Date Rcvd: Apr 05, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 07, 2019.

pla +FMTB BH LLC, 1335 50 STREET, SUITE 2G, Brooklyn, NY 11219-6504
 9401492 +747 Third Avenue, Suite 33B, New York, New York 10017, (212) 826-6422, (10017-2803
 9401493 +STAHL & ZELMANOVITZ, 747 Third Avenue, Suite 33B, New York, New York 10017,
 T: (212) 826-6422, F 10017-2803

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
ust

+E-mail/Text: ustpreion02.br.ecf@usdoj.gov Apr 05 2019 18:35:14
 Office of the United States Trustee, Eastern District of NY (Brooklyn Office),
 U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, NY 10014-9449

ust +E-mail/Text: ustpreion02.br.ecf@usdoj.gov Apr 05 2019 18:35:14 United States Trustee,
 Office of the United States Trustee, U.S. Federal Office Building,
 201 Varick Street, Room 1006, New York, NY 10014-9449

TOTAL: 2

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

ust* +United States Trustee, Office of the United States Trustee, U.S. Federal Office Building,
 201 Varick Street, Room 1006, New York, NY 10014-9449
 cd* +FMTB BH LLC, 1335 50 STREET, SUITE 2G, Brooklyn, NY 11219-6504

TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 07, 2019

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 5, 2019 at the address(es) listed below:

Abraham Neuhaus on behalf of Plaintiff FMTB BH LLC abeneuhaus@yahoo.com,
 aneuhaus@szlawllp.com; an@neuyac.com; joezelmanovitz@aol.com
 Abraham Neuhaus on behalf of Counter-Defendant FMTB BH LLC abeneuhaus@yahoo.com,
 aneuhaus@szlawllp.com; an@neuyac.com; joezelmanovitz@aol.com
 Brian J. Markowitz on behalf of Defendant 700 BECK STREET LLC bmarkowitz@goldsteinhall.com
 Brian J. Markowitz on behalf of Defendant 1988 MORRIS AVENUE LLC bmarkowitz@goldsteinhall.com
 Brian J. Markowitz on behalf of Defendant 1974 MORRIS AVENUE LLC bmarkowitz@goldsteinhall.com
 Brian J. Markowitz on behalf of Defendant 1821 TOPPING AVENUE LLC bmarkowitz@goldsteinhall.com
 Brian J. Markowitz on behalf of Defendant 1143 FOREST AVENUE LLC bmarkowitz@goldsteinhall.com
 Daniel Robert Goldenberg on behalf of Defendant 1974 MORRIS AVENUE LLC
 dgoldenberg@goldsteinhall.com
 Daniel Robert Goldenberg on behalf of Counter-Claimant 1974 MORRIS AVENUE LLC
 dgoldenberg@goldsteinhall.com
 Daniel Robert Goldenberg on behalf of Counter-Claimant 700 BECK STREET LLC
 dgoldenberg@goldsteinhall.com
 Daniel Robert Goldenberg on behalf of Defendant 1821 TOPPING AVENUE LLC
 dgoldenberg@goldsteinhall.com
 Daniel Robert Goldenberg on behalf of Defendant 1988 MORRIS AVENUE LLC
 dgoldenberg@goldsteinhall.com
 Daniel Robert Goldenberg on behalf of Counter-Claimant 1143 FOREST AVENUE LLC
 dgoldenberg@goldsteinhall.com
 Daniel Robert Goldenberg on behalf of Counter-Claimant 1821 TOPPING AVENUE LLC
 dgoldenberg@goldsteinhall.com
 Daniel Robert Goldenberg on behalf of Defendant 700 BECK STREET LLC
 dgoldenberg@goldsteinhall.com
 Daniel Robert Goldenberg on behalf of Counter-Claimant 1988 MORRIS AVENUE LLC
 dgoldenberg@goldsteinhall.com

District/off: 0207-1

User: adobson
Form ID: pdf000

Page 2 of 2
Total Noticed: 5

Date Rcvd: Apr 05, 2019

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Daniel Robert Goldenberg on behalf of Defendant 1143 FOREST AVENUE LLC
dgoldenberg@goldsteinhall.com
Fred B. Ringel on behalf of Plaintiff FMTB BH LLC fbr@robinsonbrog.com,
cy@robinsonbrog.com;nfm@robinsonbrog.com
Joseph Zelmanovitz on behalf of Plaintiff FMTB BH LLC joezelmanovitz@aol.com,
aneuhaus@szlawllp.com
Joseph Zelmanovitz on behalf of Counter-Defendant FMTB BH LLC joezelmanovitz@aol.com,
aneuhaus@szlawllp.com
Lawrence S. Hirsh on behalf of Plaintiff FMTB BH LLC lhirsh@robinsonbrog.com,
paralegals@robinsonbrog.com

TOTAL: 21

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X

In re:

FMTB BH LLC,

Debtor.

-----X
FMTB BH LLC,

Plaintiff,

against

1988 MORRIS AVENUE LLC, 1974 MORRIS
AVENUE LLC, 700 BECK STREET LLC, 1143
FOREST AVENUE LLC, and 1821 TOPPING
AVENUE LLC,

Defendants.

-----X

**SECOND AMENDED
ADVERSARY PROCEEDING
DISCOVERY PLAN AND
SCHEDULING ORDER**

Chapter 11

Case No. 18-42228-CEC

Adv. Pro No. 18-01052 (CEC)

This Adversary Proceeding Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. This case is not to be tried to a jury.
2. Amended pleadings may not be filed and additional parties may not be joined except with leave of the Court. Any motion to amend or to join additional parties shall be filed by October 15, 2018.
3. Fact Discovery
 - a. All fact discovery shall be completed by May 10, 2019.
 - b. Requests to admit shall be served by May 10, 2019.
 - c. Any of the interim deadlines in paragraphs 3(a) through 3(b) may be extended by the written consent of all parties without application to the Court, provided that all fact discovery is completed by the date set forth in paragraph 4.

4. **ALL DISCOVERY SHALL BE COMPLETED BY MAY 10, 2019.**
5. All motions and applications shall be governed by the Court's Individual Practices, including the requirement of a pre-motion conference before a motion for summary judgment is filed.
6. Unless otherwise ordered by the Court, within 30 days after the date for the completion of discovery, or, if a dispositive motion has been filed, within 30 days after a decision on the motion, the parties shall submit to the Court for its approval a Joint Pretrial Order prepared in accordance with the Court's Individual Practices. The parties shall also comply with the Court's Individual Practices with respect to the filing of other required pretrial documents.
7. This Civil Case Discovery Plan and Scheduling Order may not be modified, or the dates herein extended without leave of the Court, except as provided in paragraphs 3(c).
8. The next pre-trial conference is scheduled for at May 22, 2019.

**Dated: Brooklyn, New York
April 4, 2019**




Carla E. Craig
United States Bankruptcy Judge